

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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TONI PATRICIA IRONS,

Plaintiff, ORDER
21-CV-4683 (KAM)
-against-

UNITED STATES GOVERNMENT; DR.
ALEXANDRIA; STATE OF NEW YORK AND
GOVERNMENT EMPLOYEES,

Defendants.

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MATSUMOTO, United States District Judge:

On August 17, 2021, plaintiff Toni Patricia Irons filed this *pro se* action pursuant to 42 U.S.C. § 1983 against the United States government, the State of New York, unnamed state employees, and a psychiatrist named Dr. Alexandria, alleging that they stole her inheritance when she was fourteen. (ECF No. 1.) By Memorandum and Order dated September 27, 2021, the Court dismissed the complaint pursuant to 28 U.S.C. §§ 1915(e)(2)(B), 1915A(b)(1), and granted plaintiff 30 days leave to file an amended complaint that complied with Rule 8(a) of the Federal Rules Civil Procedure. (ECF No. 4.) The September 27, 2021 Order was served on her, and warned that if she failed to file an amended complaint within the time allowed, or cure the deficiencies discussed in the Order, judgment would enter dismissing the action. To date, plaintiff has failed to respond.

Given that plaintiff has failed to file an amended complaint or otherwise indicate that she wishes to pursue this action since she was served with the Court's September 27, 2021 Memorandum and Order, that she was warned that the case would be dismissed if she failed to file an amended complaint within thirty days, that the defendants will be prejudiced by further delay, that the Court's interest in managing its docket outweighs plaintiff's interest in continuing this case, and that the Court has no lesser remedy to prompt plaintiff to prosecute her action, the Court dismisses the action with prejudice. See *United States ex rel. Drake v. Norden Sys., Inc.*, 375 F.3d 248, 255 (2d Cir. 2004); *Cook v. U.S. Bank Nat'l Assoc.*, 2017 WL 4334084, at *2 (E.D.N.Y. July 10, 2017); see also 28 U.S.C. § 1915(e) (2) (B) .

The Court certifies pursuant to 28 U.S.C. § 1915(a) (3) that any appeal would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962). The Clerk of Court is respectfully directed to enter judgment dismissing this action, serve a copy of this Order and the judgment on Plaintiff, note service on the docket, and close this case.

SO ORDERED.

/s/ Kiyo A. Matsumoto
KIYO A. MATSUMOTO
United States District Judge

Dated: December 23, 2021
Brooklyn, New York